



**UNITED STATES DEPARTMENT OF COMMERCE
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SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
07/895,964	02/20/92	COATES	J IAF-14

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12M1/0819

TSANG, C EXAMINER	
ART UNIT	PAPER NUMBER
	1202

DATE MAILED:

08/19/96

Please find below a communication from the EXAMINER in charge of this application.

Commissioner of Patents

Advisory Action

Application No.

07/835,964

Applicant(s)

COATES et al

Examiner

Cecilia Tsang

Group Art Unit

1202

**THE PERIOD FOR RESPONSE: [check only a) or b)]**

- a) ☐ expires _____ months from the mailing date of the final rejection.
- b) ☐ expires either three months from the mailing date of the final rejection, or on the mailing date of this Advisory Action, whichever is later. In no event, however, will the statutory period for the response expire later than six months from the date of the final rejection.

Any extension of time must be obtained by filing a petition under 37 CFR 1.136(a), the proposed response and the appropriate fee. The date on which the response, the petition, and the fee have been filed is the date of the response and also the date for the purposes of determining the period of extension and the corresponding amount of the fee. Any extension fee pursuant to 37 CFR 1.17 will be calculated from the date of the originally set shortened statutory period for response or as set forth in b) above.

- ☒ Appellant's Brief is due two months from the date of the Notice of Appeal filed on Jul 23, 1996 (or within any period for response set forth above, whichever is later). See 37 CFR 1.191(d) and 37 CFR 1.192(a).

Applicant's response to the final rejection, filed on Jul 23, 1996 has been considered with the following effect, but is **NOT** deemed to place the application in condition for allowance:

☒ The proposed amendment(s):

- ☐ will be entered upon filing of a Notice of Appeal and an Appeal Brief.
- ☒ will not be entered because:
- ☐ they raise new issues that would require further consideration and/or search. (See note below).
- ☐ they raise the issue of new matter. (See note below).
- ☒ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal.
- ☒ they present additional claims without cancelling a corresponding number of finally rejected claims.

NOTE: _____

- ☐ Applicant's response has overcome the following rejection(s): _____
- _____

- ☐ Newly proposed or amended claims _____ would be allowable if submitted in a separate, timely filed amendment cancelling the non-allowable claims.
- ☐ The affidavit, exhibit or request for reconsideration has been considered but does NOT place the application in condition for allowance because: _____
- _____

- ☒ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to ~~issues which were newly raised by the Examiner~~ in the final rejection. showing invited

- ☒ For purposes of Appeal, the status of the claims is as follows (see attached written explanation, if any):

Claims allowed: NONE

Claims objected to: NONE

Claims rejected: 3-5, 7, 10, 21, and 22

- ☐ The proposed drawing correction filed on _____ ☐ has ☐ has not been approved by the Examiner.
- ☐ Note the attached Information Disclosure Statement(s), PTO-1449, Paper No(s). _____
- ☐ Other

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Art Unit: 1202

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An appeal under 37 C.F.R. § 1.191 was filed in this application on 7-23-96.
APPELLANT'S BRIEF IS DUE ON 9-23-96 IN ACCORDANCE WITH 37 C.F.R.
§ 1.192(a).

The amendment filed 7-23-96 under 37 C.F.R. § 1.116 in response to the final rejection has been considered but is not deemed to place the application in condition for allowance and will not be entered because:

The amendment (claims 7 and 10) is improper. See 37 CFR 1.121. Claim 23 is of different scope.

The Declaration now filed under 37 CFR 1.132 to overcome rejections of record requires more than a cursory review and as such will not be considered as it is not in compliance with 37 CFR 1.116(b) as the rejection under 103 to which the Declaration relates was not a new ground of rejection but one maintained for five actions in the instant case.

The amendment filed 7-23-96 under 37 C.F.R. § 1.116 in response to the final rejection has been entered, but is not deemed to place the application in condition for allowance. The status of the claims is as follows:

Allowed claims: NONE

Rejected claims: 3-5,7,10,21 and 22

Claims objected to: NONE

The brief should be directed to the rejection of claims 3-5,7,10,21 and 22.

Any inquiry concerning this communication should be directed to Examiner Tsang at telephone number (703) 308-4715.

TSANG

8-9-96

C. Tsang
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PRIMARY EXAMINER
GROUP 1200